

Union Calendar No. 392

105TH CONGRESS
2^D SESSION

H. R. 2223

[Report No. 105–693]

To amend the Act popularly known as the Recreation and Public Purposes Act to authorize transfers of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1997

Mr. HAYWORTH introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 9, 1998

Additional sponsors: Mr. STUMP, Mr. ENSIGN, Mr. RIGGS, Mr. HANSEN, Mr. GRAHAM, and Mr. GIBBONS

SEPTEMBER 9, 1998

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Act popularly known as the Recreation and Public Purposes Act to authorize transfers of certain public lands or national forest lands to local education agencies for use for elementary or secondary schools, including public charter schools, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Education Land Grant
 5 Act”.

6 **SEC. 2. TRANSFERS OF PUBLIC LANDS OR NATIONAL FOR-**
 7 **EST LANDS FOR USE FOR ELEMENTARY AND**
 8 **SECONDARY SCHOOLS.**

9 Section 1 of the Act entitled “An Act to authorize
 10 acquisition or use of public lands by States, counties, or
 11 municipalities for recreational purposes”, approved June
 12 14, 1926 (Chapter 578; 44 Stat. 741; 43 U.S.C. 869),
 13 popularly known as the Recreation and Public Purposes
 14 Act, is amended—

15 (1) in subsection (a), in the first sentence—

16 (A) by inserting “or national forest lands”
 17 after “public lands”; and

18 (B) by inserting “including to a local edu-
 19 cation agency for use for an elementary or sec-
 20 ondary school, including a public charter
 21 school,” after “public purposes,”;

22 (2) in subsection (a), in the second sentence, by
 23 striking “public lands” and inserting “lands”;

24 (3) in subsection (c), by striking “in any na-
 25 tional forest, national park, or national monument,

1 or national wildlife refuge,” and inserting “in the
 2 National Park System, the National Wildlife Refuge
 3 System, the National Wilderness Preservation Sys-
 4 tem, the National Wild and Scenic Rivers System,
 5 the National Trails System, any Bureau of Land
 6 Management area of critical environmental concern,
 7 or any national recreation area,” and

8 (4) by adding at the end the following:

9 “(d) DEADLINE FOR CONSIDERATION OF APPLICA-
 10 TION FOR USE FOR SCHOOL.—If the Secretary receives
 11 an application from a duly qualified applicant that is a
 12 local education agency seeking a conveyance of land under
 13 this Act for use for an elementary or secondary school,
 14 including a public charter school, the Secretary shall—

15 “(1) before the end of the 10-day period begin-
 16 ning on the date of that receipt, provide notice of
 17 that receipt to the applicant; and

18 “(2) before the end of the 60-day period begin-
 19 ning on the date of that receipt—

20 “(A) determine whether or not to convey
 21 land pursuant to the application, and notify the
 22 applicant of that determination; or

23 “(B) report to the Congress and the appli-
 24 cant the reasons that determination has not
 25 been made.”.

1 **SECTION 1. AUTHORIZATION OF USE OF NATIONAL FOREST**
2 **LANDS FOR PUBLIC SCHOOL PURPOSES.**

3 (a) *TRANSFERS.*—*The Secretary of Agriculture may,*
4 *upon a finding that the transfer of certain National Forest*
5 *lands for local public school purposes would serve the public*
6 *interest, authorize the transfer of up to 40 acres of National*
7 *Forest lands to a local governmental entity for public school*
8 *purposes. The Secretary may make available only those Na-*
9 *tional Forest lands that have been identified for disposal*
10 *or exchange or are not otherwise needed for National Forest*
11 *purposes. The Secretary shall make such transfers using the*
12 *least amount of land required for the efficient operation of*
13 *the project involved.*

14 (b) *COSTS.*—*Such transfers may be made at dis-*
15 *counted or no-cost. The Secretary shall provide for a no-*
16 *cost transfer to a local governmental entity for public school*
17 *purposes if the Secretary determines that the charges for*
18 *such lands would impose an undue hardship on the local*
19 *governmental entity.*

20 (c) *CONDITIONS.*—*Such transfers shall be conditioned*
21 *on the requirement that the lands so transferred will be used*
22 *solely for public school purposes.*

23 (d) *DEADLINE FOR CONSIDERATION OF APPLICATION*
24 *FOR USE FOR SCHOOL.*—*If the Secretary receives an appli-*
25 *cation from a duly qualified applicant that is a local edu-*
26 *cation agency seeking a conveyance of land under this Act*

1 *for use for an elementary or secondary school, including a*
2 *public charter school, the Secretary shall—*

3 *(1) before the end of the 10-day period beginning*
4 *on the date of that receipt, provide notice of that re-*
5 *ceipt to the applicant; and*

6 *(2) before the end of the 90-day period beginning*
7 *on the date of that receipt—*

8 *(A) determine whether or not to convey land*
9 *pursuant to the application, and notify the ap-*
10 *plicant of that determination; or*

11 *(B) report to the Congress and the appli-*
12 *cant the reasons that determination has not been*
13 *made.*

Amend the title so as to read: “A bill to provide for the use of certain National Forest lands for public school purposes.”.

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